

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

STATE OF FLORIDA,

Plaintiff,

v.

LG ELECTRONICS, INC., et al.,

Defendants.

Master File No. 3:07-cv-05944-SC

MDL No. 1917

Individual Case No. 11-cv-06205 SC

**[PROPOSED] ORDER GRANTING
DEFENDANTS' MOTION TO DISMISS
THE STATE OF FLORIDA'S
COMPLAINT**

Judge: Hon. Samuel Conti

Special Master: Hon. Charles A. Legge (Ret.)

MASTER FILE NO. 3:07-CV-05944-SC

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[PROPOSED] ORDER GRANTING DEFENDANTS' MOTION TO DISMISS THE FLORIDA COMPLAINT

DB2/ 23322584.1

1 The Motion to Dismiss the State of Florida's Complaint ("Complaint"), filed by
2 Defendants Hitachi, Ltd., Hitachi Displays, Ltd. (n/k/a Japan Display East, Inc.), Hitachi Asia,
3 Ltd., Hitachi America, Ltd., Hitachi Electronic Devices (USA), Inc., Koninklijke Philips
4 Electronics N.V., Philips Electronics North America Corporation, Panasonic Corporation (f/k/a
5 Matsushita Electric Industrial Co., Ltd.), Panasonic Corporation of North America, MT Picture
6 Display Co., Ltd., LG Electronics, Inc., LG, LG Electronics USA, Inc., Samsung SDI America,
7 Inc., Samsung SDI Co., Ltd., Samsung SDI (Malaysia) SDN, BHD., Samsung SDI Mexico S.A.
8 DE C.V., Samsung SDI Brasil Ltda., Shenzen Samsung SDI Co., Ltd., Tianjin Samsung SDI Co.,
9 Ltd., Toshiba Corporation, and Toshiba America Electronic Components, Inc. (hereinafter,
10 "Defendants") came on for hearing before this Court.

Having considered all papers filed in support of an in opposition to said motion, and having entertained argument of counsel, and good cause appearing, IT IS HEREBY ORDERED that Defendants' Motion to Dismiss is GRANTED.

14 1. Florida's second claim for relief under the Florida Antitrust Act ("FAA") and Florida's
15 third claim for relief under the Florida Deceptive and Unfair Trade Practices Act
16 ("FDUTPA") are DISMISSED because they are barred by the applicable statute of
17 limitations.

18 2. Florida's second claim for relief under the FAA is DISMISSED because it is based on
19 out-of-state purchases.

20 3. Florida's first claim for relief under the Sherman Act and its second claim for relief under
21 the FAA are DISMISSED to the extent they seek to recover for indirect purchases of CRT
22 finished products.

24 IT IS SO ORDERED.

DATED: _____

Hon. Charles A. Legge
United States District Judge (Ret.)
Special Master

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Hon. Samuel Conti
United States District Judge

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